

DODGE COUNTY PLANNING, DEVELOPMENT AND PARKS COMMITTEE
MINUTES
April 18, 2016,

The Dodge County Planning, Development and Parks Committee met on April 18, 2016, at 7:00 p.m. on the 1st Floor of the Administration Building, Juneau, Wisconsin.

Chairman Schaefer called the meeting to order. Roll Call was taken. Members present were Tom Schaefer, Allen Behl, Randy Grebel, Joseph Marsik and Janice Bobholz. The staff present at the request of the Chairman was Joseph Giebel.

The Chairman asked the staff to confirm compliance with the open meeting laws and the public hearing notice requirements. Mr. Giebel noted that the meeting was properly noticed in accord with the open meeting law and noted that the required notices for the public hearings listed on the agenda were posted, mailed and published in accord with the statute and code requirements.

The agenda was reviewed.

Motion by Joe Marsik to approve the agenda and allow the Chairperson to go out of order as needed to efficiently conduct the meeting. Second: Allen Behl Motion carried.

The hearing procedures were read into the record.

PUBLIC HEARING

Richard Wondra - Request for a Conditional Use Permit under the Shoreland Protection Ordinance, Dodge County, Wisconsin to allow filling, grading and dredging within a Shoreland Wetland district and within 300 feet of a navigable waterway, (Irish Creek) associated with the reconstruction of a pond and the restoration of the adjacent wetlands within the headwaters of Irish Creek. The property is located in part of the SE $\frac{1}{4}$, SE $\frac{1}{4}$, Section 27, Town of Leroy, the site address being N10201 County Road Y.

Motion by Randy Grebel to approve the conditional use permit to allow filling, grading and dredging within a Shoreland Wetland district and within 300 feet of a navigable waterway, (Irish Creek) associated with the reconstruction of a pond and the restoration of the adjacent wetlands within the headwaters of Irish Creek subject to the following conditions:

1. It shall be the responsibility of the applicant to obtain all other permits or approvals that may be required (e.g. Wisconsin Department of Natural Resources and/or U. S. Army Corps of Engineers) for the proposed project.
2. All work shall be done in accord with the plans and specifications submitted on March 4, 2016.
3. Any dredging conducted within the waterway shall not exceed the original dimensions of the waterway (no increase in depth or bottom width), although sideslopes may be flatter than the original sideslopes if necessary to conform with modern erosion-control practices, provided that the sideslopes are not flatter than 2:1 (horizontal to vertical);
4. All disturbed areas shall be leveled and graded (as needed) and seeded to permanent vegetation as soon as possible to prevent erosion of silt/sediment into the waterway.
5. All spoil piles and the berm shall be seeded to permanent vegetation as soon as possible to prevent erosion of silt/sediment into the waterway.

6. All erosion control measures required by the applicable Federal, State, County and Local codes shall be in place and shall be maintained throughout the duration of the project in accordance with Best Management Practices.
7. The decision of the Committee is valid for two years.

Second by Janice Bobholz Vote 5-0 Motion carried.

PUBLIC HEARING

New Frontier Land Surveying, agent for Louise Feucht - Petition to rezone approximately 9-acres of land from the A-1 Prime Agricultural Zoning District to the A-2 General Agricultural Zoning District under the Land Use Code, Dodge County, Wisconsin to allow for the creation of a non-farm residential lot on this site. The property is located in part of the NW¼, NE¼, Section 31, Town of Lomira, the address being W2223 Farmersville Road.

Motion by Joe Marsik to submit a favorable recommendation to the County Board of Supervisors on the petition to rezone approximately 9-acres of land from the A-1 Prime Agricultural Zoning District to the A-2 General Agricultural Zoning District.

Second by Allen Behl Vote 5-0 Motion carried.

PUBLIC HEARING

Jeffrey Butzke, agent for Bruce Priest – Request for a Conditional Use Permit under the Land Use Code, Dodge County, Wisconsin to allow for the creation of an approximate 1.9-acre nonfarm single family residential lot within the A-1 Prime Agricultural Zoning District. The property is located in part of the NW¼, SW¼, Section 36, Town of Lomira, the site address being W449 Rolling Drive.

Motion by Randy Grebel to approve the conditional use permit to allow for the creation of an approximate 1.9-acre nonfarm single family residential lot within the A-1 Prime Agricultural Zoning District subject to the following conditions:

1. The applicant shall obtain the required land division approvals for the proposed lot from the County and local municipalities if required, prior to the creation of these lots;
2. The proposed non-farm residential lot shall not exceed 2.351-acres in area unless the lot is successfully rezoned out of the A-1 Prime Agricultural Zoning District;
3. Only one single family residential unit may be located on the proposed non-farm residential lot unless this lot is successfully rezoned into a zoning district which allows additional residential units;
4. The acreage of the proposed non-farm residential lot shall count towards the total non-farm residential acreage that can be created from the base farm tract for this property;
5. A "Notice of Zoning Limitations" document shall be recorded with the Dodge County Register of Deeds Office for the following parcels which make up the "base farm tract" which notifies the potential buyers of these parcels that there may be limitations as to the number of new lots that can be created from this base farm tract:
 - 030-1317-3632-000; 030-1317-3634-000;
6. The owner and subsequent owners of this non-farm residential lot hereby agree to comply with Subsection 9.2, Right to Farm provisions of the Dodge County Land Use Code and that they will not cause unnecessary interference with adjoining farming operations producing agricultural products and using generally accepted agricultural practices, including access to active farming operations;

7. The decision of the Committee is valid for one year.

Second by Janice Bobholz Vote 5-0 Motion carried.

COMMITTEE OPTION REVIEW

Jeff Fremder – Request to allow an on-line firearms retail business as a home occupation within an A-2 General Agricultural zoning district. The property is located in part of the NW¼, SW¼, Section 35, Town of Ashippun, the site address being N248 County Road P

Motion by Joe Marsik to classify the proposed on-line firearms retail business as an allowed use within the A-2 General Agricultural zoning district.

Second by Allen Behl Vote 5-0 Motion carried.

OTHER BUSINESS

1. Update on an amendment to the Dodge County Land Use Code which would allow for the adaptive reuse of old barns for commercial use within an agricultural zoning district. - Review and consider the option to classify a wedding, banquet or reception hall type use to the "Public Assembly Areas" Use Category in Table 3.6-1 Dodge County Land Use Code.

Mr. Giebel provided an update on the proposed amendment to the Dodge County Land Use Code which would allow for the adaptive reuse of old barns for commercial use within an agricultural zoning district. Mr. Giebel indicated to the committee that after reviewing the list of allowed and conditionally allowed uses within the A-2 District, the staff noted that the majority of the logical uses that a barn could be used for are already allowed or conditionally allowed in the A-2 District (i.e. professional offices, taverns, general retail, bed and breakfasts, residential uses, day care facilities, public assembly uses, etc.) and these uses are not currently limited to being located within an existing barn structure under the current code. Mr. Giebel indicated that it is the staff's position that creating a separate use category for the "Adaptive Reuse of Historic Barns" may not be the most efficient process to add or accommodate wedding, meeting or banquet hall type uses into the code. Mr. Giebel indicated that there is a second option that may be available to address the issue of allowing a barn to be converted into a wedding, banquet or reception hall type use would be to make the determination that these uses can be classified as a "public assembly area" type use. According to the Code, the "Public Assembly Area" use category is intended to include uses of an institutional nature (governmental related) which serve a public need, such as churches, hospitals, schools, libraries, museums, post offices, fire stations, community centers, conference centers, exhibition halls, town halls and other public services. Community Centers, Conference convention and exhibit hall and Town hall uses are specifically listed in the Use Table (Table 3.6-1) as a Public assembly area type use. The Use Table also includes the designation "Other Public Assembly Areas" which could be deemed to include a reception, wedding and banquet hall type use even though the use would not be of an institutional nature. Mr. Giebel stated that it is the staff's position that the use characteristics and activities associated with a wedding, banquet or reception event are consistent with the uses listed in the public assembly category, and therefore, it may be an option to include a reception, wedding and banquet hall type use within the "Other Public Assembly Areas" in the Use Table. If these uses are deemed to fit within this category, they would be a conditional use in the residential commercial and A-2 General Agricultural District.

Motion by Janice Bobholz to place wedding, banquet and reception hall events within the "Public Assembly Area" category in the use table.

Second by Joe Marsik Vote: 5-0 Motion carried.

2. The minutes from the March 21, 2016 meeting were reviewed by the Committee.

Motion by Joe Marsik to approve the minutes as written.


Second by Janice Bobholz Vote: 4-0 (Randy Grebel abstained) Motion carried.

3. No Committee Member Reports
4. No additional Per Diems
5. The Committee recognized Randy Grebel for his 10 years of public service on the County Board and thanked him for all of the time and work that he has given on behalf of the residents of Dodge County, the staff and the County Board members.

Motion by order of the Chair to adjourn the meeting.

Meeting adjourned at 8:15 p.m.

Respectfully Submitted,


Allen Behl, Secretary

Disclaimer: The above minutes may be approved, amended or corrected at the next committee meeting.